

**VERMONT DEPARTMENT OF MENTAL HEALTH
ADULT STATE PROGRAM STANDING COMMITTEE
MINUTES
JULY 13, 2020**

A meeting of the DMH Adult State Program Standing Committee was held via Zoom on July 13, 2020 from 12pm until 3pm.

In attendance:

Committee Members:

Malaika Puffer
Dan Towle
Bert Dyer
Ward Nial
Kate Hunt
Vicki Warfield

DMH Staff:

Eva Dayon, Quality Management Coordinator
Jessica Bernard, Assistant Director of Quality Management
Trish Singer, Director of Adult Services
Sarah Squirrel, Commissioner
Mourning Fox, Deputy Commissioner
Shannon Thompson, Financial Director
Tom Weigel, Medical Director

Members of the Public:

Lynn Cardozo
Laura Ziegler

Meeting chaired by Malaika Puffer. Minutes submitted by Vicki Warfield.

I. Waiver of Restriction on Public Comment Period

- a. Vicki Warfield moved to waive the restriction on public comment period for the duration of the July meeting, allowing members of the public to voice concerns or questions, throughout the meeting.
- b. Motion seconded by Dan Towle.
- c. Motion passed, unanimously.

II. Approval of Minutes

a. May 2020 Minutes

- ☐ Discussion of revisions to May minutes.
- ☐ Kate Hunt motioned to approve minutes, as amended. Motion seconded by Bert Dyer. Motion passed, unanimously.

b. June 2020 Minutes

- ☐ Discussion of DMH updates, due to differing perspectives on whether updates have met standards requested by the committee, in terms of prior notice of content, adherence to agenda, stability of presentation, and addressing content requested by members. Discussion of whether updates that do not meet expectations or disrupt agenda should be considered “informal updates.”
- ☐ Committee request to DMH: Please keep the Committee apprised of relevant statutory changes affecting mental healthcare, in future updates.
- ☐ Discussion of revisions to June minutes.
- ☐ A revised draft of the June minutes will be reviewed by the Committee in August, for final approval.

III. DMH Updates

a. Sarah Squirrel, Commissioner

- ☐ *Financial updates:*
 - Community mental health agencies will receive funding to provide hazard pay to staff, in response to the acknowledged risk of pandemic exposure.
 - Between March and the end of June, DMH secured just over ten million dollars for designated agencies and specialized service agencies, for the purpose of mitigating the impact of COVID19.
 - DMH has applied for a SAMSHA grant, specifically for suicide prevention. They are waiting to hear back.
 - The legislature has approved an additional \$800,000 for DMH to engage in further suicide prevention work.
 - DMH has approached the legislature to approve further funds for the Brattleboro Retreat. DMH presented both an interim funding proposal (to include rate increases) and a sustainability and action plan. DMH originally requested 10.2 million dollars of interim funds to stabilize the Retreat. The Retreat has been

approved to receive 7.6 million dollars in interim funding, between now and the end of September, pursuant their adherence to the submitted action plan.

- Vermont legislature approved 350 million dollars to the Agency of Human Services to provide additional healthcare stabilization relief, open to all healthcare providers. AHS is currently creating the application agencies can submit. Funds cannot be used for expected expenses and must pertain to COVID-related expense. Peer agencies and substance use agencies are eligible to apply, as well as DA's and SSA's. There will be two phases for applications for these CRF (COVID Relief Fund) dollars. The first is retroactive, addressing funds incurred between March and mid-June. The second phase will cover mid-June to end of September. A third phase is possible, if any funds are leftover, but would be cutting it close, as funds must be used by the end of December.
- A member requested information on what SAMSHA grants have been received and are being pursued by DMH, as well as how those funds are designated to be used. The Commissioner responded that a bulleted list could be provided to members.
- DMH partnered with ADAP and was awarded a two million dollar mental health and substance use grant from SAMSHA. ADAP received \$900,000 and DMH received 1.1 million.

School-based Mental Health

Suicide Prevention

- May saw greater-than-average deaths in Vermont from suicide.
- In June, suicide death rate returned to average.
- There has been an increase in use of the National Suicide Prevention Hotline and crisis text line (Pathways) since the onset of the pandemic.

☐ *Inpatient Services*

- At the beginning of the pandemic, significantly fewer Vermonters were visiting emergency departments. Those numbers have begun to come back up.
- The Windham Center for Psychiatric Care at Springfield Hospital has been chosen by DMH to provide capacity for care of COVID-positive Vermonters in need of psychiatric care. FEMA and CRF funds were used to develop this capacity.
- Areas of concern: Individuals presenting in ED's for psych admission who are refusing COVID testing; ongoing staff shortages

Patient Rights and Representation

- Member Question: "What steps has DMH taken to fulfill their statutory obligation to provide patients with information regarding their legal rights and access to patient reps, given that all patient reps were furloughed at the time of the outbreak?"

Response: (Trish Singer) “...all hospitals have had contact with Vermont Psychiatric Survivor patient reps to ensure that the inpatients feel that they have communication.”

In response to more specific questions about how many patient reps are working at which facilities, how available they are to patients, and how patients are being made aware of their rights and contact info for advocacy groups (pursuant 18 V.S.A. § 7508), Trish will check an email and present this info to the Committee.

b. Tom Weigel, Medical Director

Racial Justice and Inequity

- DMH has recently adopted a racial justice statement, posted on their website. (I tried to locate the racial justice statement that Dr Weigel reported being posted on the DMH website.
- Vermont Psychiatric Care Hospital has also adopted a racial justice statement, posted to their website.
- DMH has created a racial equity committee that meets twice monthly. They are reviewing the data that DMH has on race, in order to determine the gaps in what data is needed to identify disparity.
- Committee Request to DMH: Please provide information on identified gaps in needed data and what specific racial disparities have been identified by the committee.
- Committee Request to DMH: Please allow a member of each of the SPSC to sit in on meetings of the DMH committee that meets to examine racial inequities.
- DMH supports the position of the Governor to oppose re-allocation of any police funds to mental health or community supports.
- Legislation was recently passed that ordered the Commissioner of the Office of Public Safety to work with the Commissioner of the Department of Mental Health to propose plans for increased mental health providers within state police.

☐ *Inpatient Access to Communication and Technology*

- “DMH submitted and was approved for a grant from the Vermont Community Foundation to supplement the DA's SSA networks to fund technology purchases for clients and to support telehealth. And also looking at other federal grants that will fund assistive technology for the DA's and SSA's. I think the grant of \$100,000 was going to be provided directly to the Network as unrestricted funds.”
- Dr Weigel stated that “all units did have access to computers and telephones for private communications.”
- Committee members offered several recent reports from patients, describing lack of access to private phone and internet communication, at Brattleboro Retreat and VCPH. Dr Weigel explained that these hospitals self-report that they are following acceptable procedures.

- Dr Weigel repeated that there have been no complaints regarding access to communication. Committee members referred again to recent accounts they have provided to DMH, from direct observation and patient testimonials, at these facilities.
- Committee request to DMH: Committee members have requested that DMH do a quality check, to directly investigate patient access to reliable technology for internet and phone communication, rather than relying on hospital self-reports, as patient concerns have repeatedly been brought to the attention of the Committee.

c. Shannon Thompson, DMH Financial Director

- Shannon Thompson briefed the Committee on cash on hand policies for designated agencies.
 - DMH recommends that every agency maintain 60 days cash on hand.
 - Most agencies fall between 30 and 60 days cash on hand.
 - Three agencies have less than 30 days cash on hand, with the lowest being 13 days.
 - Similar data was unavailable for hospitals.
 - Agency size does not correlate with average days cash on hand.
 - Mental health case rate differs between agencies, dependent on funding and services, as well as what they are allowed to bill for fee of service.

IV. Update on Listening Sessions (Dan Towle)

- Discussion of forming a subcommittee to plan listening sessions. How to do this in a way that meets public meeting law.
 - A subcommittee can have private meetings, between the public meetings of the entire committee, as long as all votes and decisions are made during public meetings. Subcommittees can convene privately for the purpose of research and planning.
 - Ad hoc meetings can occur, whenever is convenient for members, if decisions are needed in between regular meetings. Ad hoc meetings must be announced on the DMH website with an opportunity for the public to attend. Agendas and minutes must be kept.
 - Call for subcommittee membership.
 - Dan volunteers for involvement, noting that he would prefer not to take on leadership.
 - Ward volunteers to organize and pull people together.
 - Bert volunteers to help, as needed.
 - Vicki volunteers to help, as needed.

- Malaika would like to be involved.
- The entire committee will remain apprised of the activity of the subcommittee, via regular open email communication and meeting updates.
- Ward will create a list of objectives and send out a Doodle poll.

V. Letter from the ASPSC to Commissioner and Deputy Commissioner, clarifying duties

- ☐ Dan Towle made a motion to send a letter (previously drafted and discussed in prior meetings) to Commissioner Squirrel, requesting clarification of the duties and role of the Adult State Program Standing Committee. Motion seconded by Ward Nial seconded. Motion passed, unanimously.
- ☐ Dan Towle motioned to amend, to include Deputy Commissioner Fox on the letter. Ward Nial seconded. Motion passed, unanimously.

VI. August Agenda

- ☐ Discussion of plans for the new secure residential facility.
 - Note that Malaika requested data from Deputy Commissioner Fox, which has not yet been provided. Eva will follow up.
 - Possible goal of creating a position statement by the ASPSC on the facility.
- ☐ Development of a format for DMH updates, which allows for prior notification and preparation, as well as two-way communication between the Committee and DMH.
- ☐ Vicki will create a Google Drive in order to share documents, such as a list of action items, recommendations made by the Committee, membership applications, etc. The Drive will be reviewed and discussed at the next meeting, with a possible vote on whether to accept it, moving forward.
- ☐ Committee decided against inviting Allison Krompf back to again discuss suicide prevention programs, for the time being.

Vicki Warfield motioned to adjourn, seconded by Dan Towle. Motion passed.

Meeting adjourned.

The next meeting of the Adult State Program Standing Committee will be held on Monday, August 10th, from noon to 3pm, via Zoom teleconference. Public welcome. To attend, please email Eva.Dayon@vermont.gov or call 802-241-0109.

Summary of Action Items from July 13, 2020 meeting of the ASPSC:

Agenda:

- ☐ Going forward, the beginning of each agenda will include a vote on waiving the restriction on public comments. (Eva)

COVID19:

- Question from member of the public: What accommodations for physical distancing are being offered to people with mental and physical disabilities, pertaining both to residential settings and elsewhere within DMH's mental health system of care? (Question from Lynn Cardozo, following up from last meeting. Will Eva follow up?)

Financial:

- ☐ A bulleted list will be provided to members, regarding what SAMSHA grants have been received and are being pursued by DMH, as well as how those funds are designated to be used. (Commissioner Squirrel)
- ☐ Commissioner Squirrel will provide the Committee with a one-pager on a SAMSHA mental health and substance use grant that DMH was recently awarded in partnership with ADAP, receiving 1.1 million dollars of the two million dollar grant.
- ☐ Shannon Thompson will reach out to AHS to verify that the Retreat has received three cash infusions in the last five years (one being CRF funds), as well as the specific amounts of those funds.

Letter:

- ☐ Vicki will send the previously approved letter, requesting clarification of the role of the ASPSC, to the Commissioner and Deputy Commissioner, via email and standard mail.

Listening Sessions:

- ☐ Ward will create a list of objectives for the listening sessions and send out a Doodle poll.

Patient Rights:

- In response to specific questions about how many patient reps are working at which inpatient facilities, how available they are to patients, and how patients are being made aware of their rights and contact info for advocacy groups (pursuant 18 V.S.A. § 7508), Trish Singer will find and present this info to the Committee.
- ☐ Tom Weigel will check into whether VCPH has resolved the software issue that has prevented patients from accessing the internet, as mandated in 18 V.S.A. § 7509.

- ☐ Tom Weigel will provide a copy of each inpatient facility's privacy and confidentiality policies around patient access to communication.
- ☐ Tom will speak to a DMH quality team about the discrepancy between hospital self-reports regarding patient access to private communication, and the patient accounts being provided to Committee members, and will follow up with the Committee.

Racial Justice:

- ☐ Eva will contact Cindy to provide information on identified gaps in needed racial data and what specific racial disparities have been identified by the DMH committee examining racial issues.
- ☐ Tom will inform the ASPSC of whether one of our members can attend meetings of the DMH committee that has been convened biweekly to examine racial inequities.

Secure Residential Facility:

- ☐ Malaika will forward notes on the meeting regarding plans for the new secure residential facility, to replace the old Middlesex facility.
- ☐ Eva will follow up with Mourning Fox about requested data pertaining to new secure residential facility.

Updates:

- ☐ DMH will work to create a schedule for updates that will inform committee members of who will be presenting the update and the general topics to be covered, for the purpose of enabling Committee members to research and better understand topics and formulate questions, before the meeting, and to request specific topics to be addressed. (Eva will act as liaison)
- ☐ Question from member of the public: Does the DMH leadership team keep a record of its decisions? Is there an internal document that could be regularly forwarded to committee members, to inform members of topics that could be addressed with DMH during updates? (Question from Laura Ziegler. Will Eva follow up?)